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**DEC 26 2007**

**OFFICE OF PETITIONS**

In re Application of  
Jorg Ewert et al.  
Application No. 10/520,300  
Filed: January 5, 2005  
Attorney Docket Number: P16776-US1

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: **DECISION GRANTING PETITION**  
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This is a decision on the petition filed November 26, 2007, under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition is **GRANTED**.

This application became abandoned for failure to timely respond to a Final Office Action mailed February 23, 2007. Accordingly, the Notice of Abandonment was mailed September 27, 2007.

The file record discloses that the Final Office Action was mailed to the address of record. However, petitioner contends that it was not received. A review of the USPTO files reveal that the office communication was returned to the USPTO by the United States Postal Service on March 2, 2007 and no apparent reason can be determined since it appears that the address of record was placed on the correspondence.

In view of the facts set forth in the petition, it is concluded that the Final Office Action was never received. Accordingly, the holding of abandonment is withdrawn. Since no petition fee is due, no petition fee has been charged.

This matter is being referred to Technology Center 2617 for a re-mailing of the Final Office Action, previously mailed February 23, 2007 but not received.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
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